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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOHN ARMSTRONG, et al.,

Plaintiffs,

v.

EDMUND G. BROWN, JR., et al.,

Defendants.

Case No. C94 2307 CW

**[PROPOSED] STIPULATED ORDER
CONFIRMING UNDISPUTED
ATTORNEYS' FEES AND COSTS
FOR THE FOURTH QUARTER OF
2015**

Judge: Hon. Claudia Wilken

1 On March 26, 1997, the District Court established procedures by which Plaintiffs
2 are to collect periodic attorneys' fees and costs in this case in connection with their work
3 monitoring Defendants' compliance with the Court's Orders and collecting fees.

4 Pursuant to these procedures, on January 28, 2016 Plaintiffs served on Defendants
5 their Fourth Quarterly Statement for 2015 by overnight delivery. The parties completed
6 their meet-and-confer process on February 1, 2016 as to the fees and costs incurred on all
7 matters.

8 As a result of the February 1, 2016 agreement, the parties agree to the following:

9 The parties agree to the payment of \$1,082,738.79 to resolve all fees and costs
10 incurred during the Fourth Quarter of 2015, for monitoring and/or litigation activities in
11 the California Department of Corrections of Rehabilitation Division of Adult Operations
12 and Adult Programs (CDCR AOAP) portion of the case. Attached hereto as **Exhibit A** are
13 charts setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by
14 the parties to settle these claims.


15 The parties agree to the payment of \$32,960.93 to resolve all fees and costs incurred
16 during the Fourth Quarter of 2015, for monitoring and/or litigation activities in the Board
17 of Parole Hearings (BPH) portion of the case. Attached hereto as **Exhibit B** are charts
18 setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by the
19 parties to settle these claims.

20 The parties agree to the payment of \$180,240.66 to resolve all fees and costs
21 incurred during the Fourth Quarter of 2015, for monitoring and/or litigation activities in
22 the Division of Adult Parole Operations (DAPO) portion of the case. Attached hereto as
23 **Exhibit C** are charts setting forth the fees and costs claimed by Plaintiffs and the amounts
24 agreed to by the parties to settle these claims.

25 The parties agree to the payment of \$8,798.87 to resolve all fees and costs incurred
26 during the Fourth Quarter of 2015, for fees on fees. Attached hereto as **Exhibit D** are
27 charts setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by
28 the parties to settle these claims.

1 IT IS HEREBY ORDERED that the amounts set forth above are due and
2 collectable as of forty-five days from the date of entry of this Order. Interest on these fees
3 and costs will run from February 28, 2016, accruing at the rate provided by 28 U.S.C.
4 § 1961.

5
6 DATED: February 2, 2016

7
8 
9 THE HONORABLE CLAUDIA WILKEN
10 UNITED STATES DISTRICT JUDGE

11 APPROVED AS TO FORM:

12
13 DATED: February 1, 2016

/s/ Sharon A. Garske
Sharon A. Garske
Deputy Attorney General
Attorney for Defendants

14
15
16 DATED: February 1, 2016

/s/ Blake Thompson
Blake Thompson
Rosen Bien Galvan & Grunfeld LLP
Attorneys for Plaintiffs

EXHIBIT A

Armstrong v. Brown
Fourth Quarterly Statement of 2015
October 1, 2015 through December 31, 2015

CDCR/AOAP SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
CDCR/AOAP MONITORING	\$1,055,089.44	\$27,649.35
	TOTAL:	\$1,082,738.79

Armstrong v. Brown
 Fourth Quarterly Statement of 2015
 October 1, 2015 through December 31, 2015
Matter: CDCR/AOAP Monitoring/Merits

Monitoring (581-3)

	<u>Actual Hours</u>	<u>Claimed Hours</u>	<u>2015 Rates</u>	<u>Total Claimed Fees</u>	<u>Fees Now Owing Based On Negotiated Compromise</u>
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Michael W. Bien (MWB)	8.00	6.30	\$840	\$5,292.00	\$5,080.32
Gay C. Grunfeld (GCG)	58.60	56.40	\$710	\$40,044.00	\$38,442.24
Ernest Galvan (EG)	0.40	0.20	\$690	\$138.00	\$132.48
Thomas Nolan (TN)	210.40	208.60	\$590	\$123,074.00	\$118,151.04
Lisa Ellis (LAE)	7.10	6.40	\$525	\$3,360.00	\$3,225.60
Blake Thompson (BT)	129.90	128.10	\$480	\$61,488.00	\$59,028.48
Michael Freedman (MLF)	110.00	109.80	\$470	\$51,606.00	\$49,541.76
Ben Bien-Kahn (BBK)	177.50	161.80	\$440	\$71,192.00	\$68,344.32
Krista Stone-Manista (KSM)	123.50	121.60	\$440	\$53,504.00	\$51,363.84
Karen Stilber (KES)	84.90	84.20	\$290	\$24,418.00	\$23,441.28
Linda Woo (LHW)	52.00	26.60	\$290	\$7,714.00	\$7,405.44
Katherine Hamilton (KCH)	306.90	253.80	\$220	\$55,836.00	\$53,602.56
Lauren Vandermortel (LWV)	23.10	11.70	\$220	\$2,574.00	\$2,471.04
F. Gail LaPurja (FGL)	35.70	17.70	\$250	\$4,425.00	\$4,248.00
Fely Villadelgado (FFV)	1.00	0.00	\$250	\$0.00	\$0.00
Greg Gonzalez (GZG)	24.80	12.50	\$250	\$3,125.00	\$3,000.00
Charlotte Landes (CJL)	115.50	108.80	\$220	\$23,936.00	\$22,978.56
Kelly McGraw (KAM)	348.20	328.80	\$220	\$72,336.00	\$69,442.56
Sasha Beder-Schenker (SBS)	19.50	9.70	\$220	\$2,134.00	\$2,048.64
Total Hours:	1,837.00	1,653.00			
Total RBGG Fees:				\$606,196.00	\$581,948.16

PRISON LAW OFFICE

Donald Specter (DS)	14.20	14.20	\$845	\$11,999.00	\$11,519.04
Laura Graham (LG)	46.00	46.00	\$250	\$11,500.00	\$11,040.00
Rebekah Evenson (RE)	175.60	175.60	\$600	\$105,360.00	\$101,145.60
Penny Godbold (PG)	193.50	193.50	\$510	\$98,685.00	\$94,737.60
Corene Kendrick (CK)	53.70	53.70	\$510	\$27,387.00	\$26,291.52
Gwen Wu (GW)	10.30	10.30	\$350	\$3,605.00	\$3,460.80
Anjuli Branz (AB)	115.00	115.00	\$250	\$28,750.00	\$27,600.00
Amber Norris (AN)	271.60	271.60	\$290	\$78,764.00	\$75,613.44
Kelly Knapp (KK)	85.50	85.50	\$480	\$41,040.00	\$39,398.40
Isaac Dalke (ID)	65.80	65.80	\$250	\$16,450.00	\$15,792.00
Megan Lynch (ML)	147.40	147.40	\$250	\$36,850.00	\$35,376.00
Nora Searle (NS)	57.90	57.90	\$250	\$14,475.00	\$13,896.00
Alex Kennedy (AK)	67.00	67.00	\$250	\$16,750.00	\$16,080.00
Total Hours:	1,303.50	1,303.50			
Total PLO Fees:				\$491,615.00	\$471,950.40

**DISABILITY RIGHTS EDUCATION AND
DEFENSE FUND**

Linda Kilb (LDK)	0.90	0.90	\$745	\$670.50	\$643.68
Hongyu Min (HM)	3.80	3.80	\$150	\$570.00	\$547.20
Total Hours:	4.70	4.70			
Total DREDF Fees:				\$1,240.50	\$1,190.88

**TOTAL UNDISPUTED CDCR/AOAP
MONITORING FEES:**

\$1,099,051.50 \$1,055,089.44

Armstrong v. Brown

Fourth Quarterly Statement of 2015

October 1, 2015 through December 31, 2015

Costs***Matter: CDCR/AOAP Merits/Monitoring***

	Total	Costs Now Owing Based On
<u>Rosen, Bien, Galvan & Grunfeld (581-3)</u>	<u>Claimed Costs</u>	<u>Negotiated Compromise</u>
Photocopying (In house)	\$2,337.00	\$2,243.52
Photocopying/printing (Outside)	\$2,609.60	\$2,505.22
Interpreting services	\$209.35	\$200.98
Online Research - PACER	\$30.30	\$29.09
Postage & Delivery	\$814.20	\$781.63
Travel - Mileage, Tolls, Food	\$8,108.13	\$7,783.80
Telephone	\$11.75	\$11.28
Total RBGG Costs:	\$14,120.33	\$13,555.52
<u>Prison Law Office</u>	<u>Costs</u>	
Photocopying (In house)	\$2,695.00	\$2,587.20
Interpreting services	\$2,125.38	\$2,040.36
Travel - Mileage, Tolls, Food	\$8,272.31	\$7,941.42
Postage & Delivery	\$1,408.40	\$1,352.06
Total PLO Costs:	\$14,501.09	\$13,921.05
<u>Disability Rights Education & Defense Fund, Inc.</u>		
Photocopying (in-house)	\$133.20	\$127.87
Postage & Delivery	\$46.79	\$44.92
Total DREDF Costs:	\$179.99	\$172.79
TOTAL UNDISPUTED CDCR/AOAP MERITS/MONITORING COSTS:	\$28,801.41	\$27,649.35

EXHIBIT B

Armstrong v. Brown

Fourth Quarterly Statement of 2015

October 1, 2015 through December 31, 2015

BPH SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
BPH	\$32,340.48	\$620.45
	TOTAL:	\$32,960.93

Armstrong v. Brown

Fourth Quarterly Statement of 2015

October 1, 2015 through December 31, 2015

Matter: BPH**BPH (581-4)**

	<u>Actual Hours</u>	<u>Claimed Hours</u>	<u>2015 Rates</u>	<u>Total Claimed Fees</u>	<u>Fees Now Owing Based On Negotiated Compromise</u>
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Michael W. Bien (MWB)	2.80	2.80	\$840	\$2,352.00	\$2,257.92
Gay C. Grunfeld (GCG)	1.40	1.40	\$710	\$994.00	\$954.24
Ernest Galvan (EG)	0.30	0.30	\$740	\$222.00	\$213.12
Blake Thompson (BT)	20.30	20.10	\$480	\$9,648.00	\$9,262.08
Katherine Hamilton (KCH)	3.20	2.00	\$220	\$440.00	\$422.40
Total Hours:	28.00	26.60			
Total RBGG Fees:				\$13,656.00	\$13,109.76

PRISON LAW OFFICE

Sara Norman (SN)	31.30	31.30	\$640	\$20,032.00	\$19,230.72
Total Hours:	31.30	31.30			
Total PLO Fees:				\$20,032.00	\$19,230.72

**TOTAL UNDISPUTED FEES FOR
BPH WORK:**

	\$33,688.00	\$32,340.48
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Armstrong v. Brown

Fourth Quarterly Statement of 2015
 October 1, 2015 through December 31, 2015

Costs***Matter: BPH*****Rosen, Bien, Galvan & Grunfeld (581-4)**

	Total Claimed Costs	Costs Now Owing Based On Negotiated Compromise
Photocopying (In house)	\$3.40	\$3.26
Travel - Mileage, Tolls, Food	\$72.12	\$69.24
Total RBGG Costs:	\$75.52	\$72.50

Prison Law Office

Travel - Mileage, Tolls, Food	\$570.78	\$547.95
Total PLO Costs:	\$570.78	\$547.95

TOTAL UNDISPUTED BPH COSTS:	\$646.30	\$620.45
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EXHIBIT C

Armstrong v. Brown

Fourth Quarterly Statement of 2015

October 1, 2015 through December 31, 2015

DAPO SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
DAPO MONITORING	\$176,252.64	\$3,988.02
	TOTAL:	\$180,240.66

Armstrong v. Brown

Fourth Quarterly Statement of 2015

October 1, 2015 through December 31, 2015

Matter: DAPO Monitoring**DAPO Monitoring (581-9)**

	<u>Actual Hours</u>	<u>Claimed Hours</u>	<u>2015 Rates</u>	<u>Total Claimed Fees</u>	<u>Fees Now Owing Based On Negotiated Compromise</u>
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Michael W. Bien (MWB)	0.70	0.70	\$840	\$588.00	\$564.48
Gay C. Grunfeld (GCG)	12.10	12.00	\$710	\$8,520.00	\$8,179.20
Ernest Galvan (EG)	0.50	0.50	\$690	\$345.00	\$331.20
Lisa Ellis (LAE)	0.50	0.50	\$525	\$262.50	\$252.00
Aaron Fischer (AJF)	0.80	0.80	\$490	\$392.00	\$376.32
Blake Thompson (BT)	49.20	44.70	\$480	\$21,456.00	\$20,597.76
Michael Freedman (MLF)	53.40	51.10	\$470	\$24,017.00	\$23,056.32
Benjamin Bien-Kahn (BBK)	64.30	59.90	\$440	\$26,356.00	\$25,301.76
Margot Mendelson (MKM)	52.10	48.00	\$440	\$21,120.00	\$20,275.20
Krista Stone-Manista (KSM)	1.80	0.00	\$440	\$0.00	\$0.00
Jennifer Stark (JLS)	16.90	16.40	\$440	\$7,216.00	\$6,927.36
Jenny Yelin (JSY)	54.80	50.20	\$420	\$21,084.00	\$20,240.64
Christopher Hu (CDH)	22.70	14.10	\$360	\$5,076.00	\$4,872.96
Charlotte Landes (CJL)	0.10	0.00	\$220	\$0.00	\$0.00
Greg Gonzalez (GZG)	3.30	0.00	\$250	\$0.00	\$0.00
F. Gail LaPurja (FGL)	18.70	5.00	\$250	\$1,250.00	\$1,200.00
Kelly McGraw (KAM)	74.00	62.50	\$220	\$13,750.00	\$13,200.00
Katherine Hamilton (KCH)	8.80	7.10	\$220	\$1,562.00	\$1,499.52
Nathalie Welch (NCW)	189.70	139.10	\$220	\$30,602.00	\$29,377.92
Total Hours:	624.40	512.60			
Total RBGG Fees:				\$183,596.50	\$176,252.64
TOTAL UNDISPUTED FOR DAPO MONITORING WORK:				\$183,596.50	\$176,252.64

Armstrong v. Brown

Fourth Quarterly Statement of 2015

October 1, 2015 through December 31, 2015

Costs***Matter: DAPO Monitoring*****Rosen, Bien, Galvan & Grunfeld (581-9)**

	Total <u>Claimed Costs</u>	Costs Now Owing Based On <u>Negotiated Compromise</u>
Photocopying (in-house)	\$858.60	\$824.26
Photocopying (outside)	\$410.23	\$393.82
Lexis/Westlaw	\$5.49	\$5.27
Interpeting Services	\$170.00	\$163.20
Postage & Delivery	\$58.48	\$56.14
Telephone	\$11.10	\$10.66
Travel - Mileage, Tolls, Food	\$2,640.29	\$2,534.68
Total RBGG Costs:	\$4,154.19	\$3,988.02
TOTAL UNDISPUTED DAPO MONITORING COSTS:	\$4,154.19	\$3,988.02

EXHIBIT D

Armstrong v. Brown
Fourth Quarterly Statement of 2015
October 1, 2015 through December 31, 2015

SUMMARY OF UNDISPUTED FEES WORK AND COSTS

	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
FEES WORK (ALL MATTERS)	\$8,567.52	\$231.35
	TOTAL:	\$8,798.87

Armstrong v. Brown

Fourth Quarterly Statement of 2015

October 1, 2015 through December 31, 2015

Matter: All Matters Fees Work**Fees (581-2)**

	<u>Actual Hours</u>	<u>Claimed Hours</u>	<u>2015 Rates</u>	<u>Total Claimed Fees</u>	<u>Fees Now Owing Based On Negotiated Compromise</u>
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Michael W. Bien (MWB)	0.10	0.00	\$840	\$0.00	\$0.00
Gay C. Grunfeld (GCG)	1.20	1.00	\$710	\$710.00	\$681.60
Blake Thompson (BT)	7.40	7.40	\$480	\$3,552.00	\$3,409.92
Karen Stilber (KES)	0.20	0.00	\$290	\$0.00	\$0.00
Katherine Hamilton (KCH)	0.10	0.00	\$220	\$0.00	\$0.00
F. Gail LaPurja (FGL)	0.10	0.00	\$250	\$0.00	\$0.00
Lauren Vandemortel (LWV)	12.60	10.90	\$220	\$2,398.00	\$2,302.08
Total Hours:	21.60	19.30			
Total RBGG Fees:				\$6,660.00	\$6,393.60
<u>PRISON LAW OFFICE</u>					
Corene Kendrick (CK)	1.8	1.8	\$510	\$918.00	\$881.28
Ashley Fewell Kirby (AK)	4.2	4.2	\$150	\$630.00	\$604.80
Edie DeGraff (ED)	1.00	1.00	\$195	\$195.00	\$187.20
Total Hours:	7.00	7.00			
Total PLO Fees:				\$1,743.00	\$1,673.28
<u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u>					
Linda Kilb (LDK)	0.70	0.70	\$745	\$521.50	\$500.64
Total Hours:	0.70	0.70			
Total DREDF Fees:				\$521.50	\$500.64
TOTAL UNDISPUTED FEES FOR ARMSTRONG FEES WORK:				\$8,924.50	\$8,567.52

Armstrong v. Brown

Fourth Quarterly Statement of 2015
 October 1, 2015 through December 31, 2015

Costs***Matter: Fees Work in All Matters***

	Total <u>Claimed Costs</u>	Costs Now Owing Based On <u>Negotiated Compromise</u>
<u>Rosen, Bien, Galvan & Grunfeld (581-2)</u>		
Photocopying and Printing (in-house)	\$169.40	\$162.62
Postage & Delivery	\$62.39	\$59.89
Total RBGG Costs:	\$231.79	\$222.52
 <u>Disability Rights Education & Defense Fund, Inc.</u>		
Photocopying (in-house)	\$9.20	\$8.83
Total DREDF Costs:	\$9.20	\$8.83
TOTAL UNDISPUTED FEES WORK COSTS :	\$240.99	\$231.35